

SECOND REGULAR SESSION

SENATE BILL NO. 934

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR DEMPSEY.

Read 1st time January 10, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

4205S.011

AN ACT

To repeal section 116.080, RSMo, and to enact in lieu thereof one new section relating to initiative petition circulators, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 116.080, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 116.080, to read as follows:

116.080. 1. Each petition circulator shall be at least eighteen years of age
2 and registered with the secretary of state. Signatures collected by any circulator
3 who has not registered with the secretary of state pursuant to this chapter on or
4 before 5:00 p.m. on the final day for filing petitions with the secretary of state
5 shall not be counted.

6 2. Each petition circulator shall supply the following information to the
7 secretary of state's office:

8 (1) Name of petition;

9 (2) Name of circulator;

10 (3) Residential address, including street number, city, state and zip code;

11 (4) Mailing address, if different;

12 (5) Have you been or do you expect to be paid for soliciting signatures for
13 this petition?

14 YES NO;

15 (6) If the answer to subdivision (5) is yes, then identify the payor;

16 (7) Signature of circulator.

17 3. The circulator information required in subsection 2 of this section shall
18 be submitted to the secretary of state's office with the following oath and
19 affirmation:

20 I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT

21 ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT.

22 4. Each petition circulator shall subscribe and swear to the proper
23 affidavit on each petition page such circulator submits before a notary public
24 commissioned in Missouri. When notarizing a circulator's signature, a notary
25 public shall sign his or her official signature and affix his or her official seal to
26 the affidavit only if the circulator personally appears before the notary and
27 subscribes and swears to the affidavit in his or her presence.

28 5. Any circulator who falsely swears to a circulator's affidavit knowing it
29 to be false is guilty of a class A misdemeanor punishable, notwithstanding the
30 provisions of section 560.021, RSMo, to the contrary, for a term of imprisonment
31 not to exceed one year in the county jail or a fine not to exceed ten thousand
32 dollars or both.

33 **6. Under this chapter, it shall be unlawful to pay or receive**
34 **money or other things of value based on the number of signatures**
35 **obtained on an initiative or referendum petition. Nothing herein**
36 **prohibits payment for signature gathering which is not based, either**
37 **directly or indirectly, on the number of signatures obtained.**

Bill ✓

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